

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA, GA
2009 NOV 12 P 2:22

CLERK *[Signature]*

CHRISTOPHER GREGORY DAVIS,)
)
Plaintiff,)
)
v.) CV 309-032
)
WHEELER CORRECTIONAL FACILITY,)
)
Defendant.)

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's case is **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 12th day of November, 2009, at Augusta, Georgia

[Signature]
UNITED STATES DISTRICT JUDGE

¹The Magistrate Judge recommended that Plaintiff's case be dismissed for Plaintiff's failure to comply with the June 30, 2009 and August 7, 2009 Orders that directed Plaintiff to return his Prisoner Trust Fund Account Statement and Consent to Collection of Fees forms. (Doc. no. 5) (citing 28 U.S.C. § 1915(b)(1)). The Court is aware that on September 17, 2009, after the Report and Recommendation was entered, Plaintiff filed his Prisoner Trust Fund Account Statement. (Doc. no. 7). Notably, however, Plaintiff never submitted his Consent to Collection of Fees form. Therefore, Plaintiff has not fulfilled the required elements for proceeding *in forma pauperis* ("IFP"). Finally, as noted above, Plaintiff did not object to the Report and Recommendation.